

AMENDED IN ASSEMBLY APRIL 6, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 610

Introduced by Assembly Member Solorio
(Coauthors: Assembly Members Blumenfield and Gatto)

February 16, 2011

An act to add Section 5156.5 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL’S DIGEST

AB 610, as amended, Solorio. Vehicles: specialized license plates: donations.

Under existing law, the Department of Motor Vehicles issues environmental and other specialized license plates. The issuance of some of those license plates is subject to additional fees. Existing law prohibits the department from establishing a specialized license plate program for a state agency until the department has received not less than 7,500 applications for the plates.

This bill would authorize a state agency, board, or commission, as defined, to sponsor a specialized license plate program if certain conditions are met. The bill would only require that 2,500 applications be collected and held by the sponsoring agency. The bill would require the sponsoring agency to actively request and receive donations from public and private entities that would be deposited into the Specialized License Plate Fund and, upon determination by the department that there are sufficient funds for the program, moneys would be available, upon appropriation by the Legislature, to the department for the necessary administrative costs of establishing the specialized license plate program and, as to any remaining moneys, for allocation to the sponsoring agency.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5156.5 is added to the Vehicle Code, to
2 read:

3 5156.5. (a) (1) A state agency, board, or commission may
4 apply to the department to sponsor a specialized license plate
5 program, and the department shall issue specialized license plates
6 for that program, if the agency complies with all of the
7 requirements of this section. *The specialized license plate shall be*
8 *of a size, color, and configuration that meets the design criteria*
9 *as set forth in Section 5155.* As used in this section, “agency”
10 includes a state agency, board, or commission.

11 (2) The department shall not issue specialized license plates to
12 an agency for a vehicle that is exempt from the payment of
13 registration fees pursuant to Section 9101 or 9103.

14 (b) An agency may sponsor a specialized license plate program
15 and the department may establish the program in the absence of
16 7,500 paid applications, as would be required under subdivision
17 (a) of Section 5156 or Section 5157, if all of the following
18 conditions are met:

19 (1) The department shall not establish a specialized license plate
20 program for an agency until the department has received not less
21 than 2,500 applications for that agency’s specialized license plates.
22 The agency shall collect and hold applications for the plates. Once
23 the agency has received at least 2,500 applications, it shall submit
24 the applications, along with the necessary fees, to the department.
25 The department shall not issue a specialized license plate until the
26 agency has received and submitted to the department not less than
27 2,500 applications for the particular specialized license plate within
28 the time period prescribed in this section. Advance payment to the
29 department by the agency representing the department’s estimated
30 or actual administrative costs associated with the issuance of a
31 particular specialized license plate shall not constitute compliance
32 with this requirement. The agency shall have 12 months, following
33 the date of approval of the agency’s initial application to sponsor
34 a specialized license plate program, to receive the required number
35 of applications. If, after 12 months, 2,500 applications have not

1 been received, the agency shall immediately do either of the
2 following:

3 (A) Refund to all applicants all fees or deposits that have been
4 collected.

5 (B) Contact the department to indicate the agency's intent to
6 undertake collection of additional applications and fees or deposits
7 for an additional period, not to exceed 12 months, in order to obtain
8 the minimum 2,500 applications. If the agency elects to exercise
9 the option under this subparagraph, it shall contact each applicant
10 who has submitted an application with the appropriate fees or
11 deposits to determine if the applicant wishes a refund of fees or
12 deposits or requests the continuance of the holding of the
13 application and fees or deposits until that time that the agency has
14 received 2,500 applications. The agency shall refund the fees or
15 deposits to an applicant so requesting. The agency shall not collect
16 and hold applications for a period exceeding 24 months following
17 the date of approval of the agency's initial application to sponsor
18 a specialized license plate program.

19 (2) The agency actively requests and receives donations for the
20 specialized license plate program, which may consist of donations
21 from public and private entities for deposit into the Specialized
22 License Plate Fund. Earnings generated from donations shall be
23 retained for the specialized license plate program authorized by
24 this section.

25 (3) Upon determination by the department that there are
26 sufficient funds for the program, moneys shall be available, upon
27 appropriation by the Legislature, to the department for the
28 necessary administrative costs of establishing the specialized
29 license plate program.

30 (c) (1) If the number of outstanding and valid specialized license
31 plates in a particular program provided for in this section is less
32 than 2,500, the department shall notify the sponsoring agency of
33 that fact and shall inform the agency that if that number is less
34 than 2,500 one year from the date of that notification, the
35 department will no longer issue or replace those specialized license
36 plates.

37 (2) Those particular specialized license plates that were issued
38 prior to the discontinuation provided by paragraph (1) may continue
39 to be used and attached to the vehicle for which they were issued
40 and may be renewed, retained, or transferred pursuant to this code.

(d) In addition to the regular fees for an original registration or renewal of registration, the following additional fees shall be paid for the issuance, renewal, or transfer of the specialized license plates bearing, notwithstanding Section 5060, a full-plate graphic design depicting a significant feature, quality, program, or purpose of the sponsoring agency, approved by the department in consultation with the sponsoring agency and the Department of the California Highway Patrol: *plates:*

(1) Fifty dollars (\$50) for the original issuance of the plates.

(2) Forty dollars (\$40) for a renewal of registration with the plates.

(3) Fifteen ~~Dollars~~ *dollars* (\$15) for transfer of the plates to another vehicle.

(4) Thirty-five dollars (\$35) for each substitute replacement plate.

(e) After deducting its administrative costs under this section, which moneys shall be available for expenditure by the department, upon appropriation by the Legislature, the department shall deposit the additional revenue derived from the issuance, renewal, transfer, and substitution of the specialized license plates in the Specialized License Plate Fund. Upon appropriation by the Legislature, the moneys in that fund shall be allocated to each sponsoring agency, in proportion to the amount in the fund that is attributable to the agency's specialized license plate program. Except as authorized under Section 5159, the sponsoring agency shall expend all funds received under this section exclusively for projects and programs that promote the agency's official policy, mission, or work.